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To: Ex. Arthur L. Corbin
Group: 1761

From: Gerard J. McGowan, Jr.

No. of Pages: (including cover sheet)

Pax No.: 571-273-8300

Date: November 8, 2006

RE: Malone et al.; F3330(V)

Attached please find:

- 1. Amendment
- 2. Transmittal letter
- 3. Notice of Appeal

for:

Applicant: Malone et al.

Serial No.: 10/780,182

Filed: February 17, 2004 UNUS No.: 03-0347-UNI IF PROBLEMS OCCUR WITH THIS TRANSMISSION, PLEASE CONTACT PATTI O'DONNELL AT EXT 2548. WHEN RESPONDING TO SEND VIA FACSIMILE TRANSMISSION, PLEASE USE FAX NO. 201-894-2400

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> "Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450"

on November 8, 2006

GERARD J. MCGOWAN

Reg. No. 29,412

Attorney for Applicant(s)

UNITED STATES DEPT. OF COMMERCE Patent and Trademark Office

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RECEIVED **CENTRAL FAX CENTER**

NOV 0 8 2006

APPLICANT:

Malone et al.

SERIAL NO.:

10/780.182

FILED: FOR:

February 17, 2004

Frozen Aerated Product

November 8, 2006

Date of Signature

GROUP:

y, Y.

1761

EXAMINER:

Arthur L. Corbin

ENGLEWOOD CLIFFS, NEW JERSEY 07632

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

	(2) * Claims Remaining After Amendment		(4)** Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims		Minus			\$ 50.00	
Independent Claims		Minus			\$ 200.00	
Multiple Claims					\$ 360.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$						

^{*}If the entry in Column (2) is less than the entry in Column (4), write "0" in Column (5).

__ to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.

PAGE 3/8 * RCVD AT 11/8/2006 8:22:29 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:12018942400 * DURATION (mm-ss):03-28

[X] The Commissioner is hereby authorized to charge any additional fees, which may be required to our deposit account No. 12-1155, including all required fees under

[X] 37 C.F.R. § 1.16;

[X] 37 C.F.R. § 1.17;

[X] 37 C.F.R. § 1.18.

Triplicate copies of this letter are enclosed.

/gjm

(201) 894-2297

Gerard J. McGowan, Jr. Attorney of Record

Reg. #29,412

^{**}If the "Highest No. Previously Paid For" is less than "20," write "20" in this space.